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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/049,968	02/13/2002	Heinrich Wieland	70301/56970	6225
21874	7590 05/04/2005		EXAMINER	
EDWARDS & ANGELL, LLP			HANLEY, SUSAN MARIE	
P.O. BOX 558	874		· ·	
BOSTON, M	A 02205		ART UNIT	PAPER NUMBER
			1651	
			DATE MAILED, 05/04/200	

Please find below and/or attached an Office communication concerning this application or proceeding.

## Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.	Applicant(s)
10/049,968	WIELAND ET AL.
Examiner	Art Unit
Susan Hanley	1651

	Susan Hanley 1651
	The MAILING DATE of this communication appears on the cover sheet with the correspondence address
	endment document filed on <u>02 January 2005</u> is considered non-compliant because it has failed to meet the nents of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is I.
	LLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:  1. Amendments to the specification:  A. Amended paragraph(s) do not include markings.  B. New paragraph(s) should not be underlined.  C. Other
	2. Abstract:  A. Not presented on a separate sheet. 37 CFR 1.72.  B. Other
	<ul> <li>3. Amendments to the drawings:</li> <li>A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).</li> <li>B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.</li> <li>C. Other</li> </ul>
⊠	<ul> <li>4. Amendments to the claims:</li> <li>A. A complete listing of all of the claims is not present.</li> <li>B. The listing of claims does not include the text of all pending claims (including withdrawn claims)</li> <li>C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).</li> <li>D. The claims of this amendment paper have not been presented in ascending numerical order.</li> <li>E. Other:</li> </ul>
	ner explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <a href="https://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf">ww.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf</a> .
TIME PI	ERIODS FOR FILING A REPLY TO THIS NOTICE:
filed	licant is given <b>no new time period</b> if the non-compliant amendment is an after-final amendment or an amendment after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the <b>re corrected amendment</b> must be resubmitted within the time period set forth in the final Office action.
cori ame requ	licant is given <b>one month</b> , or thirty (30) days, whichever is longer, from the mail date of this notice to supply the rected section of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant endment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a lest for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension od under 37 CFR 1.103(a) or (c), and an amendment filed in response to a <i>Quayle</i> action.
	extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final mendment or an amendment filed in response to a <i>Quayle</i> action.
Ē	<b>ailure to timely respond</b> to this notice will result in: <b>Abandonment</b> of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a <i>Quayle</i> action; or <b>Non-entry</b> of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

The reply filed on 1/20/05 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The status identifiers for claims 46 and 49-52 are not in accordance with the Revided Amendment Practice 37 CFR 1.121 which took effect on July 30, 2003. Claims 46 and 49-52 were withdrawn from consideration by the Examiner after the election of claims 27-45 and 78-48 without traversal by Applicant in the paper filed 2/19/04. The amendment filed 1/20/05 is not compliant because the status identifiers are incorrect and do not reflect their status as "withdrawn". See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a). Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Hanley whose telephone number is 571-272-2508. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Wityshyn can be reached on 571-272-0926. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

'YEAN C. WITZ HMARY EXAMINER